



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,652	03/15/2004	Jin-sung Lee	255781-001272/US	8579
36593 7590 01/25/2012 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195				
EXAMINER				
RAHIM, AZIM				
ART UNIT		PAPER NUMBER		
3784				
MAIL DATE		DELIVERY MODE		
01/25/2012		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action
Before the Filing of an Appeal Brief

Application No.

10/799,652

Applicant(s)

LEE ET AL.

Examiner

AZIM RAHIM

Art Unit

3784

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 December 2011 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(g).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: none.
Claim(s) objected to: none.
Claim(s) rejected: 1-7, 10-16, 18 and 21-27.
Claim(s) withdrawn from consideration: none.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Frantz F. Jules/
Supervisory Patent Examiner, Art Unit 3784

Continuation of 3. NOTE: The amendment to claim 1 stating that the same path is used in supplying coolant into the heat pipe from the coolant storage tank and the coolant storage tank receiving coolant from the heat pipe raises new issues that would require further consideration and/or new search.

Continuation of 11: It is noted that the following is the Examiner's response to the arguments presented by the Applicant regarding the amendments filed in the After Final Amendment dated 12/1/2011

On pages 7-9 of the Applicant's Remarks, the Applicant disagrees with the Examiner's statement in the Final Rejection filed 8/1/2011 that "wherein the coolant is supplied to the heat pipe via a path and the coolant storage tank receives the coolant supplied to the heat pipe via the path used in supplying the coolant into heat pipe, the path being between the coolant storage tank and the heat pipe" does not limit the claim to a bidirectional pipe". Also, regarding figure 1 of the Hoang reference, the Applicant further argues that a path to supply fluid from reservoir to a heat pipe 100 is different from a path to supply fluid from the heat pipe 100 to the reservoir 110, and that Hoang cannot disclose that the same path is used in supplying and returning a fluid between the heat pipe 100 and the reservoir 110. The Examiner respectfully disagrees. As shown in figure 1 of Hoang, reservoir 110 is positioned with respect to ECP 100 to allow fluid to flow from the ECP to the reservoir and from the reservoir to the ECP, thus showing that a bidirectional path is provided between the reservoir and the ECP. The liquid line is shown to extend through a path between the reservoir and the ECP where the fluid communicates between the reservoir and the ECP. In paragraph 22, lines 1-3 of Hoang, the ECP includes two ports that fluidly couple the ECP to the reservoir and the condenser. Also, in paragraph 17, the reservoir may be an integral part of the ECP. Therefore, the area disposed directly between the reservoir and the ECP is capable of allowing bidirectional flow of the fluid.

On pages 9-11 of the Applicant's Remarks, the Applicant further argues that "the path P2 cannot be a path via which the coolant is supplied to the heatpipe as required by claim 1. and the path of claim 1 cannot be the "the whole of the vapor/liquid loop as illustrated in figure 1[.]". In Hoang, the reservoir does not use P2 to supply the coolant to the ECP". "Further, Hoang does not disclose a cooling supply line that is the whole of the vapor /liquid loop". "In other words, interpreting the entire vapor/liquid line of Hoang as a supply line is inconsistent with the disclosure in Hoang and the Examiner gives a meaning to a the fluid line and auxiliary fluid line of Hoang that would not be understood by one reading the specification. One of ordinary skill in the art would not consider the vapor line a part of a cooling supply line", and "Neither Hoang nor Hisai, alone or in combination disclose, at least, "wherein the coolant is supplied into the heatpipe via a path and the coolant storage tank receives the coolant supplied to the heatpipe via the same path that is used in supplying the coolant into the heatpipe, the path being between the coolant storage tank and the heatpipe." Accordingly, even assuming, arguendo, that Hoang could be combined with Hisai (which Applicants do not admit), Hisai in view of Hoang cannot render claim 1 obvious." The Examiner respectfully disagrees. As stated above, as shown in figure 1 of Hoang, reservoir 110 is positioned with respect to ECP 100 to allow fluid to flow from the ECP to the reservoir and from the reservoir to the ECP, thus showing that a bidirectional path is provided between the reservoir and the ECP. The liquid line is shown to extend through a path between the reservoir and the ECP where the fluid communicates between the reservoir and the ECP. In paragraph 22, lines 1-3 of Hoang, the ECP includes two ports that fluidly couple the ECP to the reservoir and the condenser. Also, in paragraph 17, the reservoir may be an integral part of the ECP. Therefore, the area disposed directly between the reservoir and the ECP is capable of allowing bidirectional flow of the fluid.

On pages 9-11 of the Applicant's Remarks, the Applicant further argues that Applicants respectfully traverse this rejection in that even assuming arguendo that Hoang and/or Hara, Leffert and Komino could be combined with Hisai (which Applicants do not admit), the combination of references fails to render even claim 1 obvious because Hoang and/or Hara, Leffert and Komino suffer from at least the same deficiencies as Hisai with respect to claim 1. Therefore, even in combination, Hisai in view of Hoang and/or Hara, Leffert and Komino fail to render claims 2, 10-16, 18 and 21-25 obvious because claims 2, 10-16, 18 and 21-25 depend from claim 1. In response, in view of the Examiner's response above, the combination of Hisai with Hoang and/or Hara, Leffert and Komino in the rejections of claims 2, 10-16, 18 and 21-25 is proper.

In conclusion, for at least the reasons stated above, the Examiner respectfully submits that the Applicant's arguments are not persuasive..